

111TH CONGRESS
1ST SESSION

S. 597

To amend title 38, United States Code, to expand and improve health care services available to women veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, from the Department of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 16, 2009

Mrs. MURRAY (for herself, Mrs. HUTCHISON, Mr. ROCKEFELLER, Ms. MIKULSKI, Mrs. BOXER, Ms. SNOWE, Mr. WYDEN, Mr. JOHNSON, Mrs. LINCOLN, Ms. STABENOW, Ms. MURKOWSKI, Mr. BROWN, Ms. COLLINS, and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to expand and improve health care services available to women veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, from the Department of Veterans Affairs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Women Veterans Health Care Improvement Act of
6 2009”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—STUDIES AND ASSESSMENTS OF DEPARTMENT OF
 VETERANS AFFAIRS HEALTH SERVICES FOR WOMEN VETERANS

Sec. 101. Report on barriers to receipt of health care for women veterans.

Sec. 102. Independent study on health consequences of women veterans of military service in Operation Iraqi Freedom and Operation Enduring Freedom.

Sec. 103. Report on full-time program managers for women veterans programs at medical centers.

TITLE II—IMPROVEMENT AND EXPANSION OF DEPARTMENT OF
 VETERANS AFFAIRS HEALTH CARE PROGRAMS FOR WOMEN
 VETERANS

Sec. 201. Plan to improve provision of health care services to women veterans.

Sec. 202. Training and certification for mental health care providers on care for veterans suffering from sexual trauma.

Sec. 203. Pilot program on counseling in retreat settings for women veterans newly separated from service in the Armed Forces.

Sec. 204. Service on certain advisory committees of women recently separated from service in the Armed Forces.

Sec. 205. Pilot program on subsidies for child care for certain veterans receiving health care.

Sec. 206. Care for newborn children of women veterans receiving maternity care.

3 **TITLE I—STUDIES AND ASSESS-**
 4 **MENTS OF DEPARTMENT OF**
 5 **VETERANS AFFAIRS HEALTH**
 6 **SERVICES FOR WOMEN VET-**
 7 **ERANS**

8 **SEC. 101. REPORT ON BARRIERS TO RECEIPT OF HEALTH**
 9 **CARE FOR WOMEN VETERANS.**

10 (a) REPORT.—Not later than June 1, 2010, the Sec-
 11 retary of Veterans Affairs shall submit to the Committee
 12 on Veterans' Affairs of the Senate and the Committee on
 13 Veterans' Affairs of the House of Representatives a report

1 on the barriers to the receipt of comprehensive health care
2 through the Department of Veterans Affairs that are en-
3 countered by women veterans, especially veterans of Oper-
4 ation Iraqi Freedom and Operation Enduring Freedom.

5 (b) ELEMENTS.—The report required by subsection
6 (a) shall include the following:

7 (1) An identification and assessment of the fol-
8 lowing:

9 (A) Any stigma perceived or associated by
10 women veterans in seeking mental health care
11 services through the Department of Veterans
12 Affairs.

13 (B) The effect on access by women vet-
14 erans to care through the Department of driv-
15 ing distance or availability of other forms of
16 transportation to the nearest appropriate facil-
17 ity of the Department.

18 (C) The availability of child care.

19 (D) The receipt of health care through
20 women's health clinics, integrated primary care
21 clinics, or both.

22 (E) The extent of comprehension by
23 women veterans of eligibility requirements for
24 health care through the Department, and the

1 scope of health care services available through
2 the Department.

3 (F) The quality and nature of the recep-
4 tion of women veterans by Department health
5 care providers and other staff.

6 (G) The perception of personal safety and
7 comfort of women veterans in inpatient, out-
8 patient, and behavioral health facilities of the
9 Department.

10 (H) The sensitivity of Department health
11 care providers and other staff to issues that
12 particularly affect women.

13 (I) The effectiveness of outreach on health
14 care services of the Department that are avail-
15 able to women veterans.

16 (J) Such other matters as the Secretary
17 identifies for purposes of the assessment.

18 (2) Such recommendations for administrative
19 and legislative action as the Secretary considers ap-
20 propriate in light of the report.

21 (c) FACILITY OF THE DEPARTMENT DEFINED.—In
22 this section, the term “facility of the Department” has the
23 meaning given that term in section 1701 of title 38,
24 United States Code.

1 **SEC. 102. INDEPENDENT STUDY ON HEALTH CON-**
2 **SEQUENCES OF WOMEN VETERANS OF MILI-**
3 **TARY SERVICE IN OPERATION IRAQI FREE-**
4 **DOM AND OPERATION ENDURING FREEDOM.**

5 (a) STUDY REQUIRED.—The Secretary of Veterans
6 Affairs shall enter into an agreement with a non-Depart-
7 ment of Veterans Affairs entity for the purpose of con-
8 ducting a study on health consequences for women vet-
9 erans of service on active duty in the Armed Forces in
10 deployment in Operation Iraqi Freedom and Operation
11 Enduring Freedom.

12 (b) SPECIFIC MATTERS STUDIED.—The study under
13 subsection (a) shall include the following:

14 (1) A determination of any association of envi-
15 ronmental and occupational exposures and combat in
16 Operation Iraqi Freedom or Operation Enduring
17 Freedom with the general health, mental health, or
18 reproductive health of women who served on active
19 duty in the Armed Forces in Operation Iraqi Free-
20 dom or Operation Enduring Freedom.

21 (2) A review and analysis of published lit-
22 erature on environmental and occupational exposures
23 of women while serving in the Armed Forces, includ-
24 ing combat trauma, military sexual trauma, and ex-
25 posure to potential teratogens associated with repro-
26 ductive problems and birth defects.

1 (c) REPORT.—

2 (1) IN GENERAL.—Not later than 18 months
3 after entering into the agreement for the study
4 under subsection (a), the entity described in sub-
5 section (a) shall submit to the Secretary of Veterans
6 Affairs and to Congress a report on the study con-
7 taining such findings and determinations as the enti-
8 ty considers appropriate.

9 (2) RESPONSIVE REPORT.—Not later than 90
10 days after the receipt of the report under paragraph
11 (1), the Secretary shall submit to Congress a report
12 setting forth the response of the Secretary to the
13 findings and determinations of the entity described
14 in subsection (a) in the report under paragraph (1).

15 **SEC. 103. REPORT ON FULL-TIME PROGRAM MANAGERS**
16 **FOR WOMEN VETERANS PROGRAMS AT MED-**
17 **ICAL CENTERS.**

18 The Secretary of Veterans Affairs shall, acting
19 through the Under Secretary for Health, submit to Con-
20 gress a report on employment of full-time managers for
21 women veterans programs at Department of Veterans Af-
22 fairs medical centers to ensure that health care needs of
23 women veterans at such medical centers are met. The re-
24 port shall include an assessment of whether there is at
25 least one full-time employee at each Department medical

1 center who is a full-time women veterans programs man-
 2 ager.

3 **TITLE II—IMPROVEMENT AND**
 4 **EXPANSION OF DEPARTMENT**
 5 **OF VETERANS AFFAIRS**
 6 **HEALTH CARE PROGRAMS**
 7 **FOR WOMEN VETERANS**

8 **SEC. 201. PLAN TO IMPROVE PROVISION OF HEALTH CARE**
 9 **SERVICES TO WOMEN VETERANS.**

10 (a) PLAN TO IMPROVE SERVICES.—

11 (1) IN GENERAL.—The Secretary of Veterans
 12 Affairs shall develop a plan—

13 (A) to improve the provision of health care
 14 services to women veterans; and

15 (B) to plan appropriately for the future
 16 health care needs, including mental health care
 17 needs, of women serving on active duty in the
 18 Armed Forces in the combat theaters of Oper-
 19 ation Iraqi Freedom and Operation Enduring
 20 Freedom.

21 (2) REQUIRED ACTIONS.—In developing the
 22 plan required by this subsection, the Secretary
 23 shall—

24 (A) identify the types of health care serv-
 25 ices to be available to women veterans at each

1 Department of Veterans Affairs medical center;
 2 and

3 (B) identify the personnel and other re-
 4 sources required to provide such services to
 5 women veterans under the plan at each such
 6 medical center.

7 (b) SUBMITTAL OF PLAN TO CONGRESS.—Not later
 8 than 18 months after the date of the enactment of this
 9 Act, the Secretary shall submit to the Committee on Vet-
 10 erans' Affairs of the Senate and the Committee on Vet-
 11 erans' Affairs of the House of Representatives the plan
 12 required by this section, together with such recommenda-
 13 tions for administrative and legislative action as the Sec-
 14 retary considers appropriate in light of the plan.

15 **SEC. 202. TRAINING AND CERTIFICATION FOR MENTAL**
 16 **HEALTH CARE PROVIDERS ON CARE FOR**
 17 **VETERANS SUFFERING FROM SEXUAL TRAU-**
 18 **MA.**

19 (a) PROGRAM REQUIRED.—Section 1720D of title
 20 38, United States Code, is amended—

21 (1) by redesignating subsection (d) as sub-
 22 section (f); and

23 (2) by inserting after subsection (c) the fol-
 24 lowing new subsections:

1 “(d)(1) The Secretary shall carry out a program of
2 education, training, certification, and continuing medical
3 education for mental health professionals to specialize in
4 the provision of counseling and care to veterans eligible
5 for services under subsection (a). In carrying out the pro-
6 gram, the Secretary shall ensure that all such mental
7 health professionals have been trained in a consistent
8 manner and that such training includes principles of evi-
9 dence-based treatment and care for sexual trauma.

10 “(2) The Secretary shall determine the minimum
11 qualifications necessary for mental health professionals
12 certified by the program under paragraph (1) to provide
13 evidence-based treatment and care to veterans eligible for
14 services under subsection (a) in facilities of the Depart-
15 ment.

16 “(e) The Secretary shall submit to Congress each
17 year a report on the counseling, care, and services pro-
18 vided to veterans under this section. Each report shall in-
19 clude data for the preceding year with respect to the fol-
20 lowing:

21 “(1) The number of mental health professionals
22 and primary care providers who have been certified
23 under the program under subsection (d), and the
24 amount and nature of continuing medical education

1 provided under such program to professionals and
2 providers who have been so certified.

3 “(2) The number of women veterans who re-
4 ceived counseling, care, and services under sub-
5 section (a) from professionals and providers who
6 have been trained or certified under the program
7 under subsection (d).

8 “(3) The number of training, certification, and
9 continuing medical education programs operating
10 under subsection (d).

11 “(4) The number of trained full-time equivalent
12 employees required in each facility of the Depart-
13 ment to meet the needs of veterans requiring treat-
14 ment and care for sexual trauma.

15 “(5) Such other information as the Secretary
16 considers appropriate.”.

17 (b) STANDARDS FOR PERSONNEL PROVIDING
18 TREATMENT FOR SEXUAL TRAUMA.—The Secretary of
19 Veterans Affairs shall establish standards on education,
20 training, certification, and staffing for Department of Vet-
21 erans Affairs health care facilities for full-time equivalent
22 employees who are trained to provide treatment and care
23 to veterans for sexual trauma.

1 **SEC. 203. PILOT PROGRAM ON COUNSELING IN RETREAT**
2 **SETTINGS FOR WOMEN VETERANS NEWLY**
3 **SEPARATED FROM SERVICE IN THE ARMED**
4 **FORCES.**

5 (a) PILOT PROGRAM REQUIRED.—

6 (1) IN GENERAL.—Commencing not later than
7 180 days after the date of the enactment of this Act,
8 the Secretary of Veterans Affairs shall carry out,
9 through the Readjustment Counseling Service of the
10 Veterans Health Administration, a pilot program to
11 evaluate the feasibility and advisability of providing
12 reintegration and readjustment services described in
13 subsection (b) in group retreat settings to women
14 veterans who are recently separated from service in
15 the Armed Forces after a prolonged deployment.

16 (2) PARTICIPATION AT ELECTION OF VET-
17 ERAN.—The participation of a veteran in the pilot
18 program shall be at the election of the veteran.

19 (b) COVERED SERVICES.—The services provided to a
20 woman veteran under the pilot program shall include the
21 following:

22 (1) Information on reintegration into the vet-
23 eran's family, employment, and community.

24 (2) Financial counseling.

25 (3) Occupational counseling.

1 (4) Information and counseling on stress reduc-
2 tion.

3 (5) Information and counseling on conflict reso-
4 lution.

5 (6) Such other information and counseling as
6 the Secretary considers appropriate to assist a
7 woman veteran under the pilot program in reintegra-
8 tion into the veteran's family and community.

9 (c) LOCATIONS.—The Secretary shall carry out the
10 pilot program at not fewer than five locations selected by
11 the Secretary for purposes of the pilot program.

12 (d) DURATION.—The pilot program shall be carried
13 out during the two-year period beginning on the date of
14 the commencement of the pilot program.

15 (e) REPORT.—Not later than 180 days after the com-
16 pletion of the pilot program, the Secretary shall submit
17 to Congress a report on the pilot program. The report
18 shall contain the findings and conclusions of the Secretary
19 as a result of the pilot program and shall include such
20 recommendations for the continuation or expansion of the
21 pilot program as the Secretary considers appropriate.

22 (f) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to the Secretary of Vet-
24 erans Affairs for each of fiscal years 2010 and 2011,
25 \$2,000,000 to carry out the pilot program.

1 **SEC. 204. SERVICE ON CERTAIN ADVISORY COMMITTEES OF**
 2 **WOMEN RECENTLY SEPARATED FROM SERV-**
 3 **ICE IN THE ARMED FORCES.**

4 (a) ADVISORY COMMITTEE ON WOMEN VETERANS.—
 5 Section 542(a)(2)(A) of title 38, United States Code, is
 6 amended—

7 (1) in clause (ii), by striking “and” at the end;

8 (2) in clause (iii), by striking the period at the
 9 end and inserting “; and”; and

10 (3) by inserting after clause (iii) the following
 11 new clause:

12 “(iv) women veterans who are recently sepa-
 13 rated from service in the Armed Forces.”.

14 (b) ADVISORY COMMITTEE ON MINORITY VET-
 15 ERANS.—Section 544(a)(2)(A) of such title is amended—

16 (1) in clause (iii), by striking “and” at the end;

17 (2) in clause (iv), by striking the period at the
 18 end and inserting “; and”; and

19 (3) by inserting after clause (iv) the following
 20 new clause:

21 “(v) women veterans who are minority group
 22 members and are recently separated from service in
 23 the Armed Forces.”.

24 (c) EFFECTIVE DATE.—The amendments made by
 25 this section shall apply to appointments made on or after
 26 the date of the enactment of this Act.

1 **SEC. 205. PILOT PROGRAM ON SUBSIDIES FOR CHILD CARE**
2 **FOR CERTAIN VETERANS RECEIVING HEALTH**
3 **CARE.**

4 (a) PILOT PROGRAM REQUIRED.—The Secretary of
5 Veterans Affairs shall carry out a pilot program to assess
6 the feasibility and advisability of providing, subject to sub-
7 section (b), subsidies to qualified veterans described in
8 subsection (c) to obtain child care so that such veterans
9 can receive health care services described in subsection (c).

10 (b) LIMITATION ON PERIOD OF PAYMENTS.—A sub-
11 sidy may only be provided to a qualified veteran under
12 the pilot program for receipt of child care during the pe-
13 riod that the qualified veteran—

14 (1) receives the types of health care services de-
15 scribed in subsection (c) at a facility of the Depart-
16 ment; and

17 (2) requires to travel to and return from such
18 facility for the receipt of such health care services.

19 (c) QUALIFIED VETERANS.—In this section, the term
20 “qualified veteran” means a veteran who is the primary
21 caretaker of a child or children and who is receiving from
22 the Department one or more of the following health care
23 services:

24 (1) Regular mental health care services.

25 (2) Intensive mental health care services.

1 (3) Such other intensive health care services
2 that the Secretary determines that payment to the
3 veteran for the provision of child care would improve
4 access to those health care services by the veteran.

5 (d) LOCATIONS.—The Secretary shall carry out the
6 pilot program in not fewer than three Veterans Integrated
7 Service Networks (VISNs) selected by the Secretary for
8 purposes of the pilot program.

9 (e) DURATION.—The pilot program shall be carried
10 out during the two-year period beginning on the date of
11 the commencement of the pilot program.

12 (f) EXISTING MODEL.—To the extent practicable, the
13 Secretary shall model the pilot program after the Depart-
14 ment of Veterans Affairs Child Care Subsidy Program es-
15 tablished pursuant to section 630 of the Treasury and
16 General Government Appropriations Act, 2002 (Public
17 Law 107–67; 115 Stat. 552), using the same income eligi-
18 bility standards and payment structure.

19 (g) REPORT.—Not later than six months after the
20 completion of the pilot program, the Secretary shall sub-
21 mit to Congress a report on the pilot program. The report
22 shall include the findings and conclusions of the Secretary
23 as a result of the pilot program and shall include such
24 recommendations for the continuation or expansion of the
25 pilot program as the Secretary considers appropriate.

1 (h) AUTHORIZATION OF APPROPRIATIONS.—There
 2 are authorized to be appropriated to the Secretary of Vet-
 3 erans Affairs for each of fiscal years 2010 and 2011,
 4 \$1,500,000 to carry out the pilot program.

5 **SEC. 206. CARE FOR NEWBORN CHILDREN OF WOMEN VET-**
 6 **ERANS RECEIVING MATERNITY CARE.**

7 (a) IN GENERAL.—Subchapter VIII of chapter 17 of
 8 title 38, United States Code, is amended by adding at the
 9 end the following new section:

10 **“§ 1786. Care for newborn children of women vet-**
 11 **erans receiving maternity care**

12 “(a) IN GENERAL.—The Secretary may furnish
 13 health care services described in subsection (b) to a new-
 14 born child of a woman veteran who is receiving maternity
 15 care furnished by the Department for not more than seven
 16 days after the birth of the child if the veteran delivered
 17 the child in—

18 “(1) a facility of the Department; or

19 “(2) another facility pursuant to a Department
 20 contract for services relating to such delivery.

21 “(b) COVERED HEALTH CARE SERVICES.—Health
 22 care services described in this subsection are all post-deliv-
 23 ery care services, including routine care services, that a
 24 newborn requires.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such chapter 17 is amended by insert-
3 ing after the item relating to section 1785 the following
4 new item:

“1786. Care for newborn children of women veterans receiving maternity care.”.

